

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI**

GERSHWIN NEWMAN
Plaintiff,

-vs-

Case No. C-1-01-544

UNITED STATES OF AMERICA
Defendants.

JUDGMENT IN A CIVIL CASE

Jury Verdict.

This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

X Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

THAT DEFENDANT'S MOTION TO VACATE (2255) IS DENIED. a **CERTIFICATE OF APPEALABILITY** SHALL NOT ISSUE. CASE IS DISMISSED.

Date: January 5, 2004

JAMES BONINI, CLERK

By: s/ Paul Hennessey
Paul Hennessey, Deputy Clerk

